

West Valley City Transit-Oriented Development Ordinance - DRAFT**7-1-103. Definitions**

1. *Block* – Land surrounded on all sides by streets or other transportation or utility rights-of-way, or by physical barriers such as bodies of water, public open spaces or other barriers to development.
2. *Charrette* – An intensive public design workshop in which designers, property owners, developers, public officials, citizens, and other persons or groups work through consensus to create a detailed and feasible project or solution.
3. *Fenestration* – Glass products that fill openings in the building façade allowing for the passage of light to the interior of buildings.
4. *Floor Area Ratio* – The amount of enclosed gross floor area in relation to the amount of site area, expressed in square feet. For example a floor area ratio of 0.5 means one square foot of floor area for every two square feet of site area.
5. *Non-retail commercial* – City districts, land uses or establishments such as administrative, executive, professional, research or similar organizations that do not display or sell merchandise on the premises, except such as are incidental or accessory to the permissible use.
6. *Residential* – City districts, land uses, or activities used predominantly for housing.
7. *Retail Commercial* – City districts, land uses or establishments that sell goods, wares or merchandise available for immediate purchase and removal from the premises by the ultimate consumers or persons without a resale license.
8. *Transit Oriented Development (TOD)* – A development approach within one half mile of a commuter rail, light rail, or bus rapid transit station characterized by moderate and higher density, mixed uses, a safe and attractive pedestrian environment, and direct and convenient access to transit facilities. The location, design, and mix of uses in a TOD emphasize pedestrian-oriented environments and encourage walking, biking and the use of public transportation.

7-6-101. Establishment of Zones

For the purpose of this Title, the City is divided into ~~23~~ 26 classes of zones as follows:

Agricultural Zone:	R-2-8	Residential Business Zone:
A	RM	RB
A-1	RMH	
Residential Zones:	Commercial Zones:	Mixed Use Zone:
R-1-4	C-1	MXD
R-1-6	C-2	City Center Zone:
R-1-7	C-3	CC
R-1-8	Manufacturing Zone:	<u>Transit Oriented Development Zones:</u>
R-1-10	M	<u>TOD-R</u>
R-1-12	Business Research Park Zone:	<u>TOD-E</u>
R-1-15	B/RP	<u>TOD-M</u>
R-1-20		<u>TOD-O</u>
R-2-6.5		

7-6-1700. Transit-Oriented Development (TOD) Zones

7-6-1701. Purpose of the Transit-Oriented Development Zones

The purpose of the Transit-Oriented Development (TOD) Zone is to encourage new development and redevelopment around commuter rail, light rail transit (LRT) and bus rapid transit (BRT) stations. This zone is meant to guide development toward transit-supportive and pedestrian-focused models as well as capitalize on the convergence of regional transit, major highway and arterial roads as ideal locations for more intense, mixed-use development. Pedestrian circulation and transit access are particularly important in this zone because the standards encourage compact urban development, a safe pedestrian environment, reduced automobile dependence, and attractive streetscapes and amenities. The TOD zone is distinct from West Valley City's Mixed-Use development zone and all references herein to 'mixed-use' herein mean the concept of development incorporating a variety of compatible uses.

The specific objectives of this zone are to:

- Development that enhances public health and safety by encouraging people to walk, ride a bicycle or use transit.
- Reduce Vehicle Miles Traveled (VMT) of area residents.
- Develop a diversity of housing types and costs near transit, suitable for families of a variety of ages and incomes.
- Encourage infill and redevelopment near existing and future LRT and BRT stations.
- Provide pedestrian amenities within the public rights-of-way near transit stops.
- Establish a mix of uses including retail and commercial that attract pedestrians.
- Connect TODs to surrounding neighborhoods and commercial districts to enable walking, bicycling and transit use.
- Provide a sufficient and complimentary number of recreational opportunities, transit-supportive jobs, and housing where appropriate, around transit stations.
- Incentivize project development processes and designs that meet the interests of West Valley City residents and officials, including aesthetic appeal.
- Promote home ownership within West Valley City.
- Provide for appropriate transitions between the heightened densities around transit stations and nearby existing low-density neighborhoods.
- Implement the goals of West Valley City's General Plan, VisionWest 2030.
- Create new opportunities for economic growth.
- Support collaborative community design processes.
- Promote Energy Efficient community and building design and construction.

7-6-1702. Transit-Oriented Development Zones

There are four (4) distinct Transit Oriented Development zones TOD–Residential, TOD–Employment, TOD–Mixed Use and TOD–Optional. These zones are distinguished because different potential TOD locations are often best suited to different purposes. The TOD zones restrict only the share of broad categories of uses over the entire proposed development, such as Residential uses. All TOD zones are equally subject to the *TOD Schedule of Uses, 7-6-1706*, when considering more specific uses such as condominiums, convenience stores and town homes. Within each of these zones there are three (3) distinct areas, the Station Area, Transit

Adjacent Area and Transition Area. These areas are established to focus the intensity of transit oriented development around major transit stations. The pedestrian friendly focus of a TOD development is described in the regulations within the *Standards for all Properties, 7-6-1705*.

1. Transit Oriented Development – Residential (TOD-R)

This Transit Oriented Development – Residential zone is established to create high-density residential communities that also accommodate a limited amount of retail, institutional, civic, restaurant, service, and office employment uses within a pedestrian friendly environment. Uses other than residential shall not comprise more than twenty percent (20%) of the proposed building gross square footage of any development.

2. Transit Oriented Development - Employment (TOD-E)

This Transit Oriented Development - Employment zone is established to accommodate high intensity office uses, office support services, or residential uses in a pedestrian friendly environment. Office or non-retail commercial uses shall comprise a minimum of sixty percent (60%) of the proposed building gross square footage. Residential uses shall not comprise more than twenty percent (20%) of the proposed building gross square footage.

3. Transit Oriented Development - Mixed Use (TOD-M)

The Transit Oriented Development – Mixed Use zone is established to support a blend of high density residential, high intensity employment/office, civic entertainment, and institutional uses, as well as a limited amount of retail uses in a pedestrian friendly environment. Residential uses shall not comprise more than fifty percent (50%) of the proposed building gross square footage.

4. Transit Oriented Development - Optional (TOD-O)

The Transit Oriented Development - Optional, or TOD-O, is established to provide a mechanism to review and address new development concepts, innovative designs, special problems, public/private ventures, and other unique proposals or circumstances which cannot otherwise be accommodated by the *Standards for all Properties, 7-6-1705*. It also serves as a mechanism for altering or modifying the minimum standards as they relate to a specific development. The *TOD Standards for all Properties, 7-6-1705* shall be used to evaluate a TOD-O proposal. Any of the minimum standards may be modified in the approval of the TOD-O application, except for use variances and parking in the front setback. A development agreement shall be required for any TOD-O zone.

7-6-1703. Area and Location Standards

1. A TOD zone change shall not be granted to a proposed development where less than eighty percent (80%) of the total development area is at or less than one half (0.5) mile from the specified transit station intersection. The measurement shall be from the specified transit station intersection to the furthest edge of the proposed development property. For the purposes of this section the transit station intersection shall be the center of the intersection that is nearest to a commuter rail, light rail or bus rapid transit station. No TOD zone application shall be approved where the designation would make the total adjacent TOD zone more than sixty percent (60%) Transition Area (any portion of the

development area within one hundred feet (100') of single-family residential and/or agriculture).

- a. Development within one quarter (0.25) mile of a specified intersection may generally be allowed greater development densities.
- b. Development within one hundred feet (100') of existing agricultural or single-family residential property shall be limited to ensure an appropriate transition in height and density to surrounding neighborhoods.

7-6-1704. TOD Zone Application and Development Review

1. Petitions for a zoning map amendment to establish a TOD zone shall be submitted to the West Valley City Planning Commission. A TOD zone classification shall be considered only upon application of the owner of the subject property or their duly authorized agent. Applications shall be accompanied by a conceptual site plan that may become part of a development agreement.
2. All zone change applications for a TOD zone shall require a submitted conceptual site plan. The conceptual site plan shall constitute a general commitment by the developer to complete the project in accordance with the approved plan. The conceptual site plan shall include the following elements:
 - a. General location and height of proposed buildings and structures.
 - b. Planning context map. This map shall illustrate how the proposed development connects with transit with an emphasis on pedestrian connections. The map shall also illustrate how the proposed development relates to surrounding development.
 - c. Pedestrian and bicycle circulation.
 - d. Existing and proposed street layout.
 - e. General location and size of existing and proposed parking areas.
 - f. General location of landscaping.
 - g. Identification of proposed phasing of the entire project (if any).
 - h. Indication of proposed architectural style, colors and signs.
 - i. Relationship of proposed development to surrounding uses.
 - j. Any supporting text.
3. Conceptual site plans shall not be accepted for review if they contain placeholder areas or areas where no building foot print and use is defined. Buildings or uses shall be reviewed as permitted or conditional uses as outlined in *Section 7-6-1706, TOD Schedule of Uses*.
4. Exclusively residential development proposals must be comprised of a minimum of two (2) acres to be considered for a zone change to any TOD zone.
5. The existing or planned station areas are described in the West Valley City General Plan.
6. **TOD-O zone applications** shall provide all of the above information as well as the following:
 - a. Submittal of a **draft development agreement** that identifies proposed development standards. A development agreement shall be required for any TOD-O zone.
 - b. A **written explanation of the necessity** of the TOD-O zone for the proposed development. This document shall identify the problem(s) that prevent the use of

any of the other TOD zones. In addition, this document shall identify the proposed modifications of the *Standards for all Properties, 7-6-1705*.

7. The Planning Commission and City Council shall first consider whether or not the proposed development area is an appropriate location for a TOD-O zone. They shall then consider the extent to which the *Standards for all Properties, 7-6-1705*, are proposed to be modified, the impacts of those modifications on existing and future development in the area, and the public purpose to be served by permitting the requested modifications. In no instance shall parking be permitted in the front setback. The standards identified in the development agreement shall become the zoning standards for the TOD-O area identified in the development agreement.
8. **Proposed changes to any approved development agreement** shall be reviewed by the West Valley City Planning Commission and must be approved by the City Council to take effect.

7-6-1705. Standards for all properties

1. Development Incentives for Transit-Oriented Development

When the proposed development meets the specific criteria below, the City shall provide bonuses as specified to encourage the establishment of higher quality TODs.

- a. **Mixed-Use Bonus (+ 10% Density):** An additional density allowance of ten percent (10%) of the maximum base density shall be granted if the proposed development is a mixed-use project of at least two (2) acres, and provided that at a *minimum* twenty-five percent (25%) is residential, twenty-five percent (25%) is non-retail commercial or office, and ten percent (10%) is retail commercial space. The share shall be measured by total building floor area of the planned development. In order to qualify for this incentive, the planned and phase I built project must include retail and commercial uses. This bonus shall not apply to developments where a mix of uses is reserved for future development.
- b. **LEED Bonus (+ 10% Density):** An additional density allowance of ten percent (10%) of the maximum base density shall be granted if the project has initiated LEED (Leadership in Energy and Environmental Design, Green Building Rating System™) or similar certification of resource and energy efficient design and construction. A LEED bonus will be considered to meet this requirement if the project meets both of the following standards:
 - i. Documented project registration with LEED certification system or equivalent rating system.
 - ii. A written explanation identifying the proposed design, construction and maintenance elements sufficient to obtain certification.
- c. **Collaborative Design Bonus (+ 10% Density):** An additional density allowance of ten percent (10%) of the maximum base density may be granted if a collaborative design process such as a design charrette is used to create the project. The design charrette or other process shall include at least one participant from each of the following groups: West Valley City Planning Division staff, West Valley City Public Works Department staff, and UTA staff. Additionally the charrette or other collaborative design process shall include five (5) or more residents from separate households in adjacent or nearby residential

neighborhoods. A collaborative design process shall be considered to meet this requirement if it meets all of the following standards:

- i. The final design product is the basis for a site plan submitted to West Valley City. Only minor alterations may be allowed in the discretion of City staff.
- ii. The collaborative site design process is organized and managed by a professional and experienced collaborative design team.
- iii. The development proposal conforms to an adopted Small Area Master Plan, except where none have been adopted by the City.

d. **High End Housing Included (+ 10% Density)**

An additional density allowance of ten percent (10%) of the maximum base density in a TOD zone may be granted if the project provides a minimum of ten percent (10%) of the total planned housing units priced at or above the following number at initial sale or lease: Salt Lake County Median Annual Household Income divided by 12 [months] multiplied by 30% [portion of income dedicated to housing] multiplied by 150% [affordability index for this incentive].

e. **50-75% Owner-Occupied Units Bonus (+ 25-50% Density, respectively):** An additional density allowance of twenty-five percent (25%) of the maximum base density may be granted if the project provides at least fifty percent (50%) of the total number of residential units as owner-occupied. If the project provides at least seventy-five percent (75%) of the total number of residential units as owner-occupied then the density allowance shall be fifty percent (50%) of the maximum base density. These density allowances shall not be combined, and shall not apply to projects that consist of fewer than twelve (12) planned residential units. This incentive shall not be applied to projects that consist of fewer than twelve (12) residential units.

2. Granted density bonuses shall be added above the maximum base density allowed for a single proposed development (excluding phases), though the calculation for any density bonus shall always use only the base maximum density allowance (See Table 1).
3. Density bonuses to residential developments shall be applied in additional units/acre. All other development bonuses will be applied in additional Floor Area Ratio.
4. Density bonuses shall be provided and enforced through the use of deed restriction requirements.

Table 1 – SAMPLE Station Area Development Incentive Calculations

Assuming a single, mixed-use project is proposed for a Station Area in a TOD zone. The developer has used a charrette process (collaborative design) to prepare the site and building design, and has committed to build high-performance buildings through registration of the project with the U.S. Green Building Council and is seeking LEED certification. Additionally, the project will provide half of the total units as owner-occupied condominium units.							
	Base Density	Mixed-Use 10%	LEED 10%	Collaborative Design 10%	50% Owner-Occupied 25%	High End Housing 10%	Total Allowed Density
Residential Element of a Project	24 units/acre	+ 2.4 units/acre	+ 2.4 units/acre	+ 2.4 units/acre	+ 6 units/acre	-	37.2 units/acre
Mixed-Use or Commercial Element	1.2 FAR	+ 0.12 FAR	+ 0.12 FAR	+ 0.12 FAR	+ 0.3 FAR	-	1.86 FAR
These examples are intended only to illustrate the calculation method of density bonuses.							

5. *Varying Development Density Areas – see Figure 1.*

- a. **Station Area.** The Station Area shall be the area immediately surrounding the transit platform intersection and extending as a radius to one quarter (0.25) mile. Generally this area shall have a high level of transit integration or a substantial relationship between the transit station and the proposed development. This area shall have a higher intensity of uses to support the transit system. Residential development shall employ a density of no less than twelve (12) units per acre and no more than twenty-four (24) units per acre, not including bonuses. Mixed use and commercial developments shall apply a Floor Area Ratio (FAR) of no less than 0.5 and no more than 1.2, not including bonuses.
- b. **Transit Adjacent Area.** The Transit Adjacent Area shall be the area in a TOD zone adjacent to the Station Area, generally situated between one quarter (0.25) mile and one half (0.5) mile from the transit platform intersection. Residential development in this area shall employ a density of no less than eight (8) units per acre and no more than sixteen (16) units per acre, not including bonuses. Mixed use or commercial developments shall employ a Floor Area Ratio (FAR) of no less than 0.35 and no more than 1.0, not including bonuses.
- c. **Transition Area.** The Transition Area shall be any area within a TOD zone that is within one hundred feet (100') of a single-family detached residential use or agricultural use that are not zoned for TOD must be compatible with that existing development. The one hundred foot (100') buffer area shall be measured beginning at the property line adjoining the non-TOD zones. The height of any development within a Transition Area shall not exceed a height of forty percent (40%) greater than the average height of surrounding residential structures. Residential development within this area shall apply a density of no less than eight (8) units per acre and no more than ten (10) units per acre, not including bonuses. Mixed use and commercial developments shall employ a Floor Area Ratio (FAR) of no less than 0.35 and no more than 1.0, not including bonuses.

Figure 1 - TOD Zone, Area Application Standards (Figure not to scale)

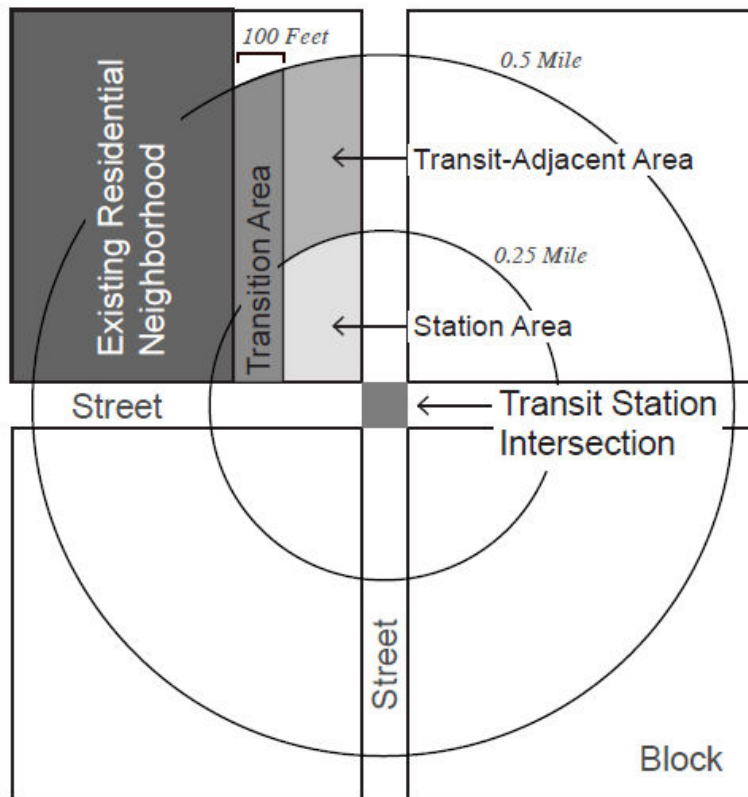


Table 2 – TOD Zone Standards for all Properties

	Station Area	Transit-Adjacent Area	Transition Area
Expanse of TOD Sub Areas	up to 1/4 mile	up to 1/2 mile	Parcels adjoining and/or within 100' of existing single-family residential or agricultural uses.
Minimum Development Size (Res. only)	2 acres	2 acres	2 acres
Base Density			
Residential Min. Density	12 units/acre	8 units/acre	8 units/acre
Residential Max. Density	24 units/acre	16 units/acre	10 units/acre
Commercial/Mixed Min. Density	0.5 FAR	0.35 FAR	0.35 FAR
Commercial/Mixed Max. Density	1.2 FAR	1.0 FAR	1.0 FAR
Building Design/Architectural Features			
Building Height Minimum	24'	12'	12'
Building Height Maximum	60'	60'	48' ^a
Building Min. Front Setback ^b	0'	0'	10'
Building Max. Front Setback ^c	4'	6'	16'
Site Landscaping requirement	5%	10%	15%

^a TOD development adjacent to existing residential may be no more than 40% taller than existing residential.

^b Any ground floor residential units shall be setback a minimum of ten feet (10') and maximum of sixteen feet (16').

^c Front maximum setbacks may be increased to allow for outdoor seating areas.

6. *Building Height Allowances*

- a. Building height in a Station Area within a TOD zone shall not be more than sixty feet (60') in height and not less than twenty-four feet (24') in height.
- b. Building height in a Transit Adjacent Area shall not be more than sixty feet (60') in height and not less than twelve feet (12') in height.
- c. Building height in a Transition Area shall not be more than forty percent (40%) taller than the average height of adjacent single-family residential or agricultural structures. Any building within a Transition Area shall not be more than forty-eight feet (48') in height and not less than twelve feet (12') in height.

7. *Parking*

- a. Except as specified below, all parking areas shall meet the requirements found in the West Valley City Municipal Code, *Chapter 7-9, Off-Street Parking Requirements*.
- b. The parking requirements for number of parking spaces accompanying development shall be reduced by twenty percent (20%) in the Station Area and ten percent (10%) in the Transit Adjacent Area.
- c. Pursuant to *Section 7-9-106, Shared Parking*, a reduction of the parking standards may be allowed for the provision of **shared parking** in a mixed-use project within a TOD Zone. The West Valley City Zoning Administrator in consultation with the West Valley City Public Works and Building Inspection Divisions will determine the appropriate reduction under this subsection.
- d. A reduction of the parking standards may also be allowed for an approved site parking plan that includes provisions and programs that enable **reduced parking demand** such as car sharing, high-efficiency/compact vehicle parking, unbundling parking from residential sales and leases (sold separately), secured bicycle parking, a planned parking district/structure, and other innovative strategies. The West Valley City Zoning Administrator in consultation with the West Valley City Public Works and Building Inspection Divisions will determine the appropriate reduction under this subsection. A parking engineering study shall be required for consideration of any additional reduction under this subsection.
- e. Automobile parking shall not be allowed in the front yard setback or between the building and the street. Parking shall be in structures, underground or located to the rear or side of buildings.
- f. Any parking in the side yard setback must be screened (see *Landscaping, 7-6-1705 (12)*).
- g. On-street parking is encouraged where feasible and safe as determined by the Zoning Administrator in consultation with the West Valley City Public Works and Building Inspection Divisions. On-street parking may be allowed on City-owned roads except where on-street parking would pose a significant safety hazard. This determination shall be made by the Zoning Administrator, in consultation with West Valley City Public Works. On-street parking on a State-owned road shall be considered only if the applicant/developer obtains permission from the Utah Department of Transportation. Any approved on-street parking spaces shall count toward the total required parking.

- h. Parking for any development in a TOD zone shall not exceed one hundred and twenty-five percent (125%) of the required minimum parking stalls.
- i. Tandem parking to a maximum of two (2) vehicles shall be allowed for residential use only, as long as any tandem parking is assigned to individual units and occupies a space no less than ten feet (10') wide and forty feet (40') deep.
- j. Walkways that cross parking, loading, or driveway areas must be clearly identifiable through the use of elevation changes, speed bumps, a different paving material or other similar method.

8. *Signs*

- a. Signs within the TOD zone shall be consistent with the West Valley City Sign ordinance for the C-1 commercial zone, Section 11-6-103.
- b. Removable temporary signs shall be limited to A-frame and pedestal style signs. A-frame signs shall not exceed four feet (4') in height and two feet (2') in width. Pedestal style signs shall not exceed four feet (4') in height and two feet (2') in width. These specified removable temporary signs shall be allowed only in a Station Area within a TOD zone and shall be placed no further than ten feet (10') from the front of the building in a sidewalk right-of-way. A minimum of four feet (4') of pedestrian clear width must be preserved at all times.

9. *Architectural Standards*

- a. **Single-Family Residential Design.** Single-family dwellings shall be designed with the established design standards provided in *Section 7-14-105*.
- b. **Multi-Family Residential Design.** The following elements of the *West Valley City Multi-Family Residential Design Standards, Section 7-14-300P* shall apply to all multi-family residential buildings within a TOD zone. If an element of the design criteria is not mentioned in this section, it shall not apply.
 - i. Each Section in its entirety: *Assessment of Relief, Window and Design Treatments* (7-14-307); *Building Relief Treatments* (7-14-308); *Window Treatments* (7-14-309); *Building Design Treatments* (7-14-310); *Garage Treatments* (7-14-311); *Roof Treatments* (7-14-312);
 - ii. The Section in part: *General Requirements, parts 3 through 7* (7-14-306).
 - iii. Any multifamily residential development with two or more levels shall provide internal, enclosed stairways or elevator systems.
 - iv. Multifamily residential developments with up to fifty (50) dwelling units shall include at least three (3) amenities from the list in Table 3. At least one (1) of the three (3) required amenities shall be from the major amenities list.
 - v. Multifamily residential developments with fifty-one (51) to one hundred (100) dwelling units shall include at least five (5) amenities from the list in Table 3. At least two (2) of the five (5) required amenities shall be from the major amenities list.
 - vi. Multifamily residential developments with one hundred one or more (101+) dwelling units shall include at least seven (7) amenities from the list in Table 3. At least three (3) of the seven (7) required amenities shall be from the major amenities list.

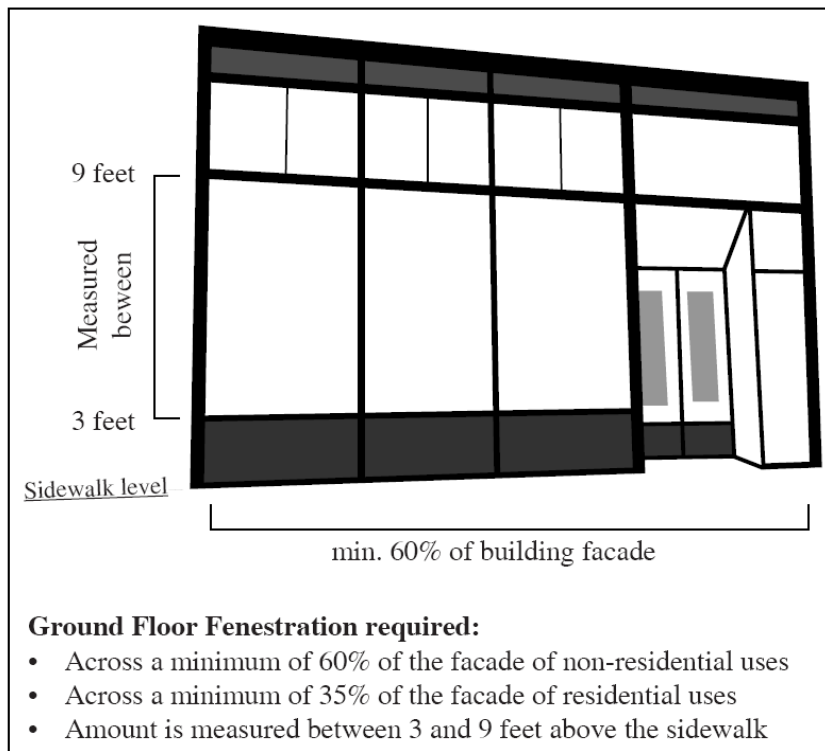
Table 3 – Amenities List for Multifamily Residential Projects in a TOD zone

Major Amenities	Minor Amenities
Swimming pool	Tot lot
Courtyard	Volleyball court
Clubhouse (with fitness room)	Hot tub
Garages (at least one garage per dwelling unit)	Walking/Exercise trail
On-site manager (resides in the development)	Basketball court
Theatre or cinema room	Tennis court
Private patio or balcony of at least 60 square feet for each unit	Picnic area with community barbecue grill for residents' use
Community vehicle for residents' use	Keyless access system
Private parking structure (at least one space per dwelling unit)	Storage lockers (at least one per dwelling unit)
Minimum nine foot (9') ceiling heights in all dwelling units	Fitness center
Elevator system	Game room
Community Garden (min. 500 square feet)	Guest room, temporarily leasable to residents
	Community room with full kitchen
	Dog Run Area
	Wireless internet service (free to residents)
Any other amenity that, at the discretion of the Planning Commission, meets the intent of this Section.	Any other amenity that, at the discretion of the Planning Commission, meets the intent of this Section.

- c. **Commercial Design.** The following elements of the *West Valley City Commercial Design Standards, Section 7-14-200P* shall apply to all commercial buildings within a TOD zone. If an element of the design criteria is not mentioned in this section, it shall not apply.
 - i. Each Section in its entirety: *Building Materials* (7-14-210); *Building Colors* (7-14-211); *Assessment of Building/Roof Treatments* (7-14-212); *Building Relief Treatments* (7-14-213); *Building Design Treatments* (7-14-214); *Roof Treatments* (7-14-215); *Drive-Through Window Standards* (7-14-216); *Merchandise Display Areas* (7-14-217); *Exemption* (7-14-218).
- d. **Mixed Use Design.** The following elements of the *West Valley City Standards for all Properties, Section 7-6-1605* shall apply to all mixed-use buildings within a TOD zone. If an element of the design criteria is not mentioned in this section, it shall not apply.
 - i. Mixed-use buildings with residential use shall meet the following standards:
 - 1. The residential portion of the mixed use building shall follow the standards in the West Valley City Municipal Code 7-6-1605 (5), subsection four (4).

2. The commercial portion of the mixed use building shall follow the standards in West Valley City Municipal Code 7-6-1605 (5), *subsection six (6)*.
 3. Commercial loading areas, trash facilities and mechanical equipment shall be screened from sight through landscaping, walls and/or fences from all pedestrian ways, residential building entries, open space and windows.
 4. Commercial hours of operation shall be reviewed by the Zoning Administrator. The Zoning Administrator may limit hours of operation to prevent adverse impacts on the residential uses within the building.
- ii. A vertical mixed-use building (a single building with multiple uses such as residential and commercial) shall apply the applicable design standards to the floor containing that use.
- e. Architectural features such as awnings and patios may be allowed to encroach into the front yard setback to a maximum of five feet (5') with the approval of the Zoning Administrator in consultation with the West Valley City Building Inspections Division. Architectural features on the ground floor shall not encroach into an existing City owned right-of-way. Architectural features above the ground floor may be allowed in the discretion of the Zoning Administrator in consultation with the West Valley City Public Works and Building Inspection Divisions.

Figure 2 – Ground Floor Fenestration required for Non-Residential Uses



10. Ground Floor Fenestration

- a. No less than sixty percent (60%) of the ground floor front building façade of any non-residential building **within a Station Area** shall be transparent.
 - i. Required non-residential fenestration shall begin at a point not greater than three feet (3') above the sidewalk extending to a point not less than nine feet (9') above the sidewalk.
- b. No less than thirty-five percent (35%) of the ground floor front building façade of any residential unit **within a Station Area** shall be transparent.
 - i. Required residential fenestration shall be measured as the amount of fenestration provided between three feet (3') above the sidewalk and nine feet (9') above the sidewalk.
- c. All building walls facing a street other than an alley must contain at least twenty-five percent (25%) of the wall space in windows or doors for residential-only buildings and at least forty percent (40%) of the wall space in windows or doors for commercial and mixed use buildings.

11. Block size/street layout

- a. No block along a street shall have a length greater than five hundred feet (500') unless it incorporates an alley, common drive, access easement or pedestrian pathway that provides through-access.
- b. No block shall be larger than 5 acres.
- c. The pedestrian access and circulation requirement in *Section 7-14-207* shall apply to all commercial development.
- d. The pedestrian access and circulation requirement in *Section 7-14-304* shall apply to all residential development.
- e. Streets stubbed to the perimeter of a development shall be extended through the development.
- f. Streets and/or pedestrian/bicycle paths shall stub out to the perimeter of the property where the development abuts vacant land.
- g. Pedestrian, bicycle and vehicular connections between any subdivided properties shall not be severed.
- h. Pedestrian, bicycle and automobile connections between proposed development sites and adjacent neighborhoods shall be required where feasible.
- i. New streets constructed as part of a development or internal to a development within a TOD zone shall follow the Street Design Standards in Table 5.

Table 5 – Street Design Standards in a TOD Zone

Street	Right-of-Way (feet)	Travel Lanes	Travel Lane Width (feet)	Parking Lanes	Parking Lane Width (feet)
Alley	12-18	1+	N/A	0	N/A
Local	40-45	2	7-9	2	8-9
Collector	50-60	2	9-11	2	10
Arterial	Follow existing code				

12. Pedestrian and bicycle circulation and accommodations

- a. **Required Pedestrian Access and Circulation.** The elements of the West Valley City standards for *Pedestrian Access and Circulation 7-14-304* and *7-14-207* shall

apply to all developments within a TOD zone, with the exception of bicycle parking standards. If an element of the design criteria is not mentioned in this section, it shall not apply.

- b. Public routes shall have clear lines of sight to adjacent developments or to the transit stop and shall not be impeded by landscaping, barriers, signs, or gates.
- c. Security fences or gates shall not obstruct pedestrian access through any proposed development.
- d. Bicycle parking requirements shall be as follows, by use:
 - i. Residential bicycle parking – one (1) stall per three (3) units. If bike storage is provided within or as part of residential units, this requirement shall be reduced to one (1) stall per fifteen (15) units.
 - ii. Retail bicycle parking – one (1) stall per one thousand (1000) sq feet of gross building floor area. No more than twenty (20) bicycle parking stalls shall be required per building under this subsection.
 - iii. Office bicycle parking – one (1) stall per two thousand (2000) sq feet of gross building floor area. No more than twenty (20) bicycle parking stalls shall be required per building under this subsection.
 - iv. Industrial bicycle parking – one (1) stall per five thousand (5000) sq feet of gross building floor area. No more than twenty (20) bicycle parking stalls shall be required per building under this subsection.
 - v. Park & Ride Facilities – one (1) stall per twenty-five (25) automobile parking stalls. No more than thirty (30) bicycle parking stalls shall be required per facility under this subsection.
- e. Bicycle parking facilities for buildings that have several uses are encouraged and should be centrally located between uses.
- f. Bicycle parking shall not be located where it will obstruct pedestrian movement and circulation. Bicycle parking stalls shall be located no more than one hundred feet (100') from a central building entrance.
- g. All bicycle racks, lockers or other facilities shall be securely anchored to the ground or to a building structure.

13. Building orientation and Setback requirements

- a. The primary façade of all buildings shall face the street. On lots with more than one street frontage, the building shall face the street with transit service. More than one entrance to a building shall be permitted.
- b. Building entrances shall be located on the side of the building that faces transit service.
- c. For mixed use, commercial and multi-unit residential buildings, one of the street facing entrances shall be readily apparent as a prominent architectural element and the primary entrance.
- d. The front yard setback of any **ground floor residential unit** in any area within a TOD zone shall be a minimum of ten feet (10') to a maximum of sixteen feet (16') from the front property line. Corner lots shall apply the front yard setback requirement to both street facing sides. Side and rear yard setbacks shall be a minimum of zero feet (0').

- e. The front yard setback of any building in a **Station Area**, excluding ground floor residential units, shall be a minimum of zero feet (0') to a maximum of four feet (4') from the property line. The side and rear yard setbacks of any building in a Station Area shall be a minimum of zero feet (0') from the property line.
- f. The front yard setback of any building in a **Transit Adjacent Area**, excluding ground floor residential units, shall be a minimum of zero feet (0') to a maximum of six feet (6') from the property line. The side and rear yard setbacks of any building in a Transit Adjacent Area shall be a minimum of zero feet (0') from the property line.
- g. The front yard setback of any building in a **Transition Area** shall be a minimum of ten feet (10') to a maximum of sixteen feet (16') from the property line. The side and rear yard setbacks of any building, excluding those directly adjacent to an existing single-family residential neighborhood, shall be a minimum of zero feet (0') from the property line. The side or rear yard setbacks of any building lot directly adjacent to an existing single-family residential neighborhood shall be a minimum of ten feet (10').
- h. A maximum setback may be increased to no more than twenty feet (20') from a public right-of-way if a courtyard, plaza, or seating area is incorporated into the development adjacent to and freely accessible from the public right-of-way.

Table 5 – Setback Standards in a TOD Zone

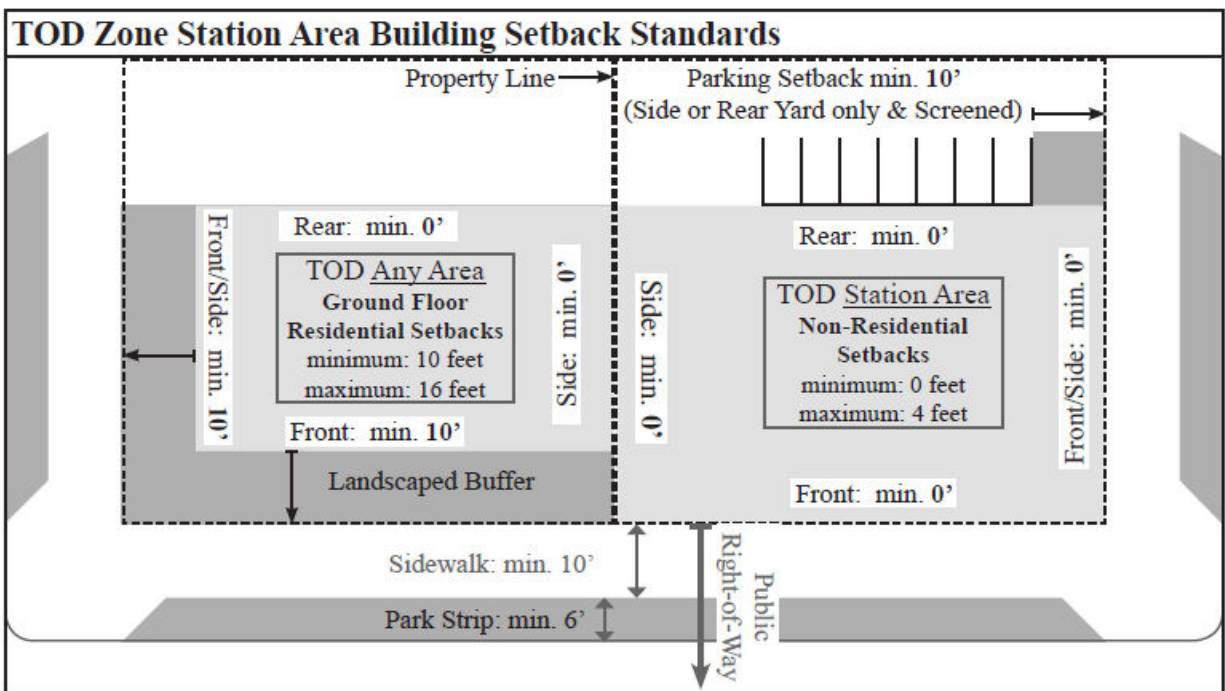
Area	Front Yard		Side Yard		Rear Yard	
	min.	max.	min.	max.	min.	max.
Station Area	0'	4'	0'	-	0'	-
Transit Adjacent Area	0'	6'	0'	-	0'	-
Transition Area	10'	16'	0' ^a	-	0' ^a	-
Any ground floor Res.	10'	16'	0'	-	0'	-
^a Any building directly adjacent to a single-family residential neighborhood shall apply a minimum setback of ten feet (10') from the property line.						

14. Landscaping and Open Space

- a. **Required Landscaping.** The following elements of the West Valley City Standards for all Properties 7-6-1605 shall apply to all developments within a TOD zone. If an element of the design criteria is not mentioned in this section, it shall not apply.
 - i. In part: *Standards for all Properties, part 9, (a), (b), (c), and (e)* (7-6-1605(9)). Required landscaping area shall be reduced as described in this section.
- b. Open space that is functional and accessible by residents or the public, shall be required on five percent (5%) of the gross area of any proposed development site in a Station Area of a TOD zone.
- c. Open space that is functional and accessible by residents or the public, shall be required on ten percent (10%) of the gross area of any proposed development site in a Transit Adjacent Area of a TOD zone.

- d. Open space that is functional and accessible by residents or the public, shall be required on fifteen percent (15%) of the gross area of any proposed development site in a Transitional Area of a TOD zone.
- e. The required open space may be reduced by the dedication of property for a public park or plaza to West Valley City (see *Parks, 7-6-1705(13)*).
- f. Ground floor residential frontages in any area in a TOD zone, where the primary entrance faces the street shall be required to landscape a minimum of ten feet (10') between the public right-of-way and the primary building façade, excluding access sidewalks, stairs, stoops, porches and patios.
- g. Side yard parking areas shall be separated from the sidewalk by a ten foot (10') landscaped buffer and screened by a three foot (3') masonry wall or compact vegetation that is compatible with adjacent structures.

Figure 3 – Building Setback Standards



15. Parks

- a. As stated in Title 8 of West Valley City Municipal Code, *Impact Fees*, new development is required to pay a park impact fee and other impact fees. Pursuant to 7-2-124, *Dedication and Reservation of Parks*, a park impact fee may be waived upon dedication to the City of property in an amount equal to the fee.
- b. In the event that public park land is dedicated to West Valley City, the dedicated property shall be counted toward meeting the minimum open space requirements.

16. Streetscape

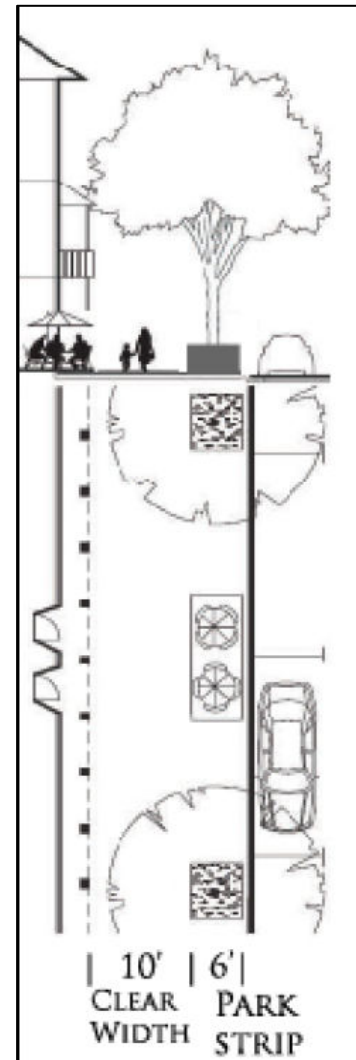
- a. **Existing Streetscape Requirements.** Streetscape patterns that are already specified in West Valley City Municipal Code, 7-13, *Standards for Landscaping*

Along High-Image Arterial Streets, shall apply unless otherwise specified in this section.

- b. **Streetscape Requirements.** The streetscape requirements herein shall not apply to private alleys or other streets internal to a development that do not have buildings fronting these streets. Where no streetscape standard exists in West Valley City Municipal Code the standards below shall apply.
 - i. Park Strips at least six feet (6') wide shall be required on streetscapes along major streets in the TOD zone.

Figure 4 – Station Area Streetscape Standards on Major streets

- ii. Park strips of at least four feet (4') shall be required on streetscapes along minor streets in the TOD zone.
 - 1. Park strips shall serve as a buffer separating pedestrians from the street and shall be located between the sidewalk and the street.
 - 2. Pedestrian amenities such as tree containers, raised planter boxes, bicycle parking, or other features shall be located in the park strip.
 - 3. Limited sections, not to exceed fifty percent (50%), of the required park strip may be paved to match the sidewalk to allow access to and from on-street parking areas or other street access areas.
- iii. Street trees shall be required along all sidewalks and shall be spaced from twenty feet to fifty feet (20'-50') apart and shall not exceed an average spacing of thirty feet (30').
- iv. Pedestrian-scale lighting fixtures no greater than fourteen feet (14') in height shall be provided along all sidewalks and walkways to provide ample lighting during nighttime hours for employees, customers and residents. Pedestrian-scale lighting shall be consistent in style and height with adjacent TOD developments and shall be uniform along the length of any streetscape. Light fixtures shall be provided at an average interval of ninety feet (90') or less. At no time shall there be a space between light fixtures larger than one hundred feet (100') or less than eighty feet (80').



- c. **Sidewalk Requirements.** Clear width requirements shall depend on ground floor use of the building. For ground-floor non-residential uses the sidewalk clear width shall not be less than ten feet (10') in a Station Area or Transit Adjacent Area and not less than eight feet (8') in a Transition Area. Land uses with limited outdoor seating and removable retail displays may encroach into the clear width area up to a maximum of four feet (4').

17. Fences (height, location, setback)

- a. No fences or walls over three feet (3') in height shall be allowed between a building and the street or in the front setback, except for four foot (4') tall fences used to enclose private patio spaces. Fences over three feet (3') in height are allowed to the side or rear of a building.

18. Utility Connections

- a. New buildings, facilities or improvements shall locate all distribution electrical, communications, cable television service, and other similar distribution wires/cables underground.
- b. Any above-ground utility components associated with underground facilities must be screened by landscaping and/or walls.

19. Location of service areas (i.e. trash dumpsters and loading docks)

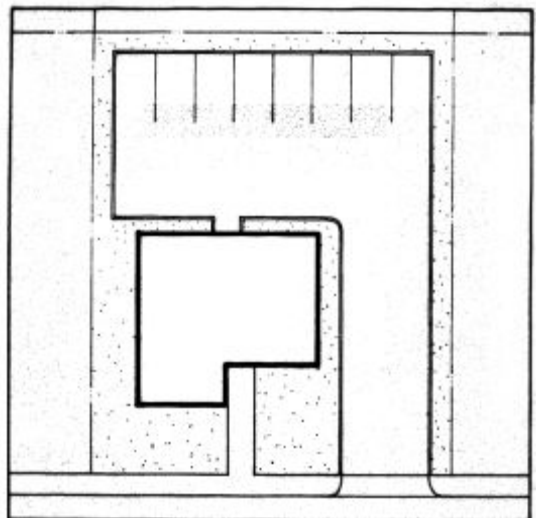
- a. Service areas shall not be located along a principal street or along a street served by transit.
- b. Service areas shall be screened from the principal street and sidewalk with landscaping, fencing, or other building materials that are compatible with the site and surrounding uses.

20. Conversion of single family homes to commercial

- a. The residential setbacks as outlined in *Minimum Lot and Setback Requirements, 7-6-305*, shall continue to apply to any house conversion.

Figure 5 – Typical House Conversion Site Plan

- b. Parking shall be provided in the rear yard setback or in a side yard screened from the street and shall not be allowed in any front yard setback. Parking requirements, unless otherwise specified within this ordinance, shall comply with the *West Valley City Parking Ordinance, 7-9*.
- c. Outside storage shall not be allowed.
- d. Original residential character and style of the house shall be preserved or enhanced.
- e. Signs shall be allowed that conform to



Residential Business sign standards in West Valley City Municipal Code (11-6-102, *Residential Business*).

7-6-1706. TOD Schedule of Uses

The following schedule indicates by the symbol, “P”, the uses that shall be permitted in each TOD zone and by the symbol, “C”, the uses which require a conditional use permit. No other permitted or conditional uses are allowed, except as provided in *Section 7-2-115*. The symbol, “X”, means that the use is not allowed. If a use is not listed on the Schedule of Uses, then it is not allowed in a TOD zone.

		Station Area	Transit Adjacent Area	Transition Area
	Residential			
1	Single-family detached homes	X	C	P
2	Two-family homes	X	X	X
3	Town homes	C	P	P
4	Condominiums	P	P	C
5	Apartments	P	P	C

	Commercial			
6	Automobile Sales and service	X	X	X
7	Bank	P	P	P
8	Business record storage within an enclosed building	X	X	X
9	Car title loan business	X	X	X
10	Caretaker dwelling incidental to and above or behind a principal commercial use	P	P	P
11	Check cashing / Deferred deposit loan	X	X	X
12	Commercial outdoor recreation	X	C	C
13	Community use	P	P	P
14	Commercial condominium	P	P	C
15	Concert venue, concert hall, dance hall	C	C	X
16	Convenience store	P	C	C
17	Convention or Conference Center	C	C	X
18	Day care, preschool	P	P	P
19	Fast food establishment (stand alone)	X	P	C
20	Fast food establishment which is located under the roof of a building containing at least four other retail uses	P	P	C
21	Greenhouse, garden supply	X	C	C
22	Hardware store, home improvement center	X	C	C
23	Hospital	C	C	C

24	Hotel, motel, extended stay hotel	P	C	C
25	Light manufacturing or fabrication within an enclosed building not to exceed 5,000 ft ² , including a retail storefront	C	C	X
26	Medical clinic, doctor's offices	P	P	P
27	Neighborhood grocery	P	C	C
28	Neighborhood service establishment	P	P	P
29	Nursing home, convalescent center or assisted living	P	P	P
30	Off-premises beer retailer licensed outlet	P	P	P
31	Office/warehouse - more than 50% interior storage, outside storage only as approved by Planning Commission	X	X	X
32	Parking lots, commercial (pay lots)	C	P	P
33	Parking lots, non-commercial and associated with an adjacent building	P	P	P
34	Parking structure	P	P	X
35	Pawnshop	X	X	X
36	Permanent cosmetic establishment	P	P	C
37	Club Licensee	C	C	X
38	Professional office	P	P	P
39	Public utility installation (except lines and rights-of-way)	X	C	C
40	Reception center	C	C	X
41	Recreational facility beer retailer	C	C	X
42	a. Restaurant liquor retailer	P	C	X
43	b. Brew restaurant, brew restaurant and liquor retailer, small brewer	P	C	X
44	c. Manufacturer of alcoholic products	X	X	X
45	Restaurant, restaurant on-premises beer retailer	P	P	P
46	Retail department or specialty store with no outside storage or display	P	P	P
47	Sale and/or storage of gasoline, diesel, and other fuels	X	C	C
48	Sale and/or lease of mobile homes, travel trailers, campers, motorcycles, and other recreation vehicles	X	X	X
49	Seasonal fruit/produce vendor stand as temporary use only	P	P	P
50	"Self storage" facility	X	X	X
51	Sexually Oriented Businesses	X	X	X
52	Shopping center, retail only	X	C	C
53	Signs (see Title 11, Sign Ordinance)	P	P	P
54	State store or package agency	C	C	X
55	Supermarket (up to 20,000 sf)	C	C	C
56	Tattoo establishment	X	X	X

57	Temporary uses as allowed by Section 7-2-115	P	P	P
58	Uses customarily accessory to a listed permitted use	P	P	P
59	Uses customarily accessory to a listed conditional use	C	C	C
60	Veterinary hospital / indoor kennel	C	C	C
61	Drive through aisles/window facilities	X	C	C

"Brew Restaurant" means a business licensed to sell beer for on-premises consumption in connection with a bonafide restaurant where the revenue from the sale of beer is less than 30 percent of the gross dollar volume. A Brew Restaurant is also licensed to brew beer in batch sizes that provide enough beer for the sale and consumption on site in connection with the restaurant, or for retail carry-out sale in containers holding less than 2 liters. (WVC 7-1-103)

"Manufacturer of Alcoholic Products" means to distill, brew, rectify, mix, compound, process, ferment or otherwise make an Alcoholic Product for personal use or for sale or distribution to others, except Brew Restaurants, Brew Restaurant and Liquor Retailers, and Small Brewers. (WVC 7-1-103)

"Recreational Facility Beer Retailer" means a business licensed to sell beer and permit consumption thereof at recreation facilities, excluding public parks. Under this license, no beer is sold in the original containers, but must first be emptied into suitable temporary containers. All sales and deliveries are made directly to the ultimate consumer. Beer is not permitted, or consumed, except that which is purchased on the licensed premises. (WVC 7-1-103)

"Restaurant Liquor Retailer" means a restaurant that maintains a liquor license subject to the applicable provisions of the Alcoholic Beverage Control Act. (WVC 7-1-103)

"Restaurant On-Premises Beer Retailer" means a licensed place of business in connection with a bona fide restaurant wherein beer is sold for consumption on the premises provided that the sale of beer is less than 30 percent of the gross dollar volume in accordance with the Alcoholic Beverage Control Act and the West Valley City Code. (WVC 7-1-103)

"Small Brewer" means a Brew Restaurant with or without a liquor license which in addition to retail sale and on-site consumption in connection with a restaurant, markets beer wholesale in an amount not to exceed (60,000) barrels per year where revenue from the sale of beer is less than 30 percent of the gross dollar volume of the business, including what is commonly known as a microbrewery. (WVC 7-1-103)

"Supermarket" means a retail establishment with net floor area over 5000 square feet which offers the consumer a full range of food, and other household products. Supermarkets may include in-store bakeries, fresh meat counters, pharmacies, and fresh produce, among other things. (WVC 7-1-103)